

Paper No. 619  
Disposes of  
Paper No. 613, in  
respect to Paper  
No. 254.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al	)	ORDER: GRANTING, IN
- vs -	)	PART, THE APPLICATION
ARAKI, Sadeo; et al	)	OF THE PROSECUTION TO
	)	AMEND THAT CERTAIN ORDER
	)	OF THE TRIBUNAL NO. 254
	)	DATED 1 JULY 1946, WITH
	)	REGARD TO THE PRODUCTION
	)	OF CERTAIN DEFENSE
	)	WITNESSES

This matter coming on to be heard on this 18th day of December, 1946, before The Honorable Sir William Webb, President of the Tribunal, upon the application of the Prosecution to amend that certain order of the Tribunal dated 1 July, 1946, and designated as Paper No. 254, wherein the Tribunal directed that a summons be issued for HATA, Hikosaburo, as a witness on behalf of the accused HATA, Shunroku, by recalling and revoking the said summons so ordered to be issued for the proposed witness HATA, Hikosaburo, and in lieu and stead thereof, granting to the said accused and his Counsel of record every facility and assistance to submit interrogatories to, or otherwise interrogate, the said witness at the place where the said person is now located and held; and after hearing the statements and arguments of Counsel, and the Tribunal being fully advised in the premises, it is

ORDERED: That the said application for the recall and revocation of the summons heretofore ordered

to be issued for HATA, Hikosaburo, as a witness for and on behalf of the accused HATA, Shunroku, be denied; and it is further

ORDERED: That the said order of the Tribunal heretofore made, signed and entered on the 1st day of July, 1946, be amended by adding two new and additional paragraphs to said order, to read as follows:

"It is further ORDERED: That execution and service of the summons for the proposed witness HATA, Hikosaburo, be postponed, and that said summons be held by the Secretary of the Tribunal, subject to further order and direction of the Tribunal; and it is further

"ORDERED: That pending further direction of the Tribunal relative to the service of said summons for the proposed witness HATA, Hikosaburo, every facility and assistance be provided to Counsel for the accused HATA, Shunroku, to submit written interrogatories to, or verbally interrogate, the said HATA, Hikosaburo, at the place where said person is now located or held, and the accused is granted permission to file an application for the service of the summons heretofore issued for the said witness, if the same be found necessary for the proper defense of the accused in this case, as the result of the afore-said interrogations."

And it is further ORDERED: That in each and all other respects, the said order of the Tribunal of



1 July 1946, shall be and remain as originally made,  
signed and entered, and in full force and effect.

Dated at Tokyo, Japan, this 23 December 1946.

BY THE TRIBUNAL:

/s/ W.F. WEBB  
PRESIDENT